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| Adopted | Rejected |
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## COMMITTEE REPORT

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|------|---|
| YES: | 8 |
| NO:  | 0 |

### MR. SPEAKER:

*Your Committee on Public Health, to which was referred Senate Bill 506, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 25-1-2-2.1 IS AMENDED TO READ AS
- 4       FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2.1. Rather than being
- 5       issued annually, the following permits, licenses, certificates of
- 6       registration, or evidences of authority granted by a state agency must
- 7       be issued for a period of two (2) years or for the period specified in the
- 8       article under which the permit, license, certificate of registration, or
- 9       evidence of authority is issued if the period specified in the article is
- 10      longer than two (2) years:
- 11       (1) Certified public accountants, public accountants, and
- 12       accounting practitioners.
- 13       (2) Architects and landscape architects.
- 14       (3) Dry cleaners.
- 15       (4) Professional engineers.

- 1 (5) Land surveyors.
- 2 (6) Real estate brokers.
- 3 (7) Real estate agents.
- 4 (8) Security dealers' licenses issued by the securities
- 5 commissioner.
- 6 (9) Dental hygienists.
- 7 (10) Dentists.
- 8 (11) Veterinarians.
- 9 (12) Physicians.
- 10 (13) Chiropractors.
- 11 (14) Physical therapists.
- 12 (15) Optometrists.
- 13 (16) Pharmacists and assistants, drugstores or pharmacies.
- 14 (17) Motels and mobile home park licenses.
- 15 (18) Nurses.
- 16 (19) Podiatrists.
- 17 (20) Occupational therapists and occupational therapy assistants.
- 18 (21) Respiratory care practitioners.
- 19 (22) Social workers, marriage and family therapists, and mental
- 20 health counselors.
- 21 (23) Real estate appraiser licenses and certificates issued by the
- 22 real estate appraiser licensure and certification board.
- 23 (24) Wholesale legend drug distributors.
- 24 (25) Physician assistants.
- 25 (26) Dietitians.
- 26 (27) Hypnotists.
- 27 **(28) Acupuncturists.**

28 SECTION 2. IC 25-1-2-6 IS AMENDED TO READ AS FOLLOWS  
 29 [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) As used in this section,  
 30 "license" includes all occupational and professional licenses,  
 31 registrations, permits, and certificates issued under the Indiana Code,  
 32 and "licensee" includes all occupational and professional licensees,  
 33 registrants, permittees, and certificate holders regulated under the  
 34 Indiana Code.

35 (b) This section applies to the following entities that regulate  
 36 occupations or professions under the Indiana Code:

- 37 (1) Indiana board of accountancy.
- 38 (2) Indiana grain buyers and warehouse licensing agency.

- 1 (3) Indiana auctioneer commission.
- 2 (4) Board of registration for architects.
- 3 (5) State board of barber examiners.
- 4 (6) State board of cosmetology examiners.
- 5 (7) Medical licensing board of Indiana.
- 6 (8) Secretary of state.
- 7 (9) State board of dental examiners.
- 8 (10) State board of funeral and cemetery service.
- 9 (11) Worker's compensation board of Indiana.
- 10 (12) Indiana state board of health facility administrators.
- 11 (13) Committee of hearing aid dealer examiners.
- 12 (14) Indiana state board of nursing.
- 13 (15) Indiana optometry board.
- 14 (16) Indiana board of pharmacy.
- 15 (17) Indiana plumbing commission.
- 16 (18) Board of podiatric medicine.
- 17 (19) Private detectives licensing board.
- 18 (20) State board of registration for professional engineers.
- 19 (21) Board of environmental health specialists.
- 20 (22) State psychology board.
- 21 (23) Indiana real estate commission.
- 22 (24) Speech-language pathology and audiology board.
- 23 (25) Department of natural resources.
- 24 (26) State boxing commission.
- 25 (27) Board of chiropractic examiners.
- 26 (28) Mining board.
- 27 (29) Indiana board of veterinary medical examiners.
- 28 (30) State department of health.
- 29 (31) Indiana physical therapy committee.
- 30 (32) Respiratory care committee.
- 31 (33) Occupational therapy committee.
- 32 (34) Social worker, marriage and family therapist, and mental
- 33 health counselor board.
- 34 (35) Real estate appraiser licensure and certification board.
- 35 (36) State board of registration for land surveyors.
- 36 (37) Physician assistant committee.
- 37 (38) Indiana dietitians certification board.
- 38 (39) Indiana hypnotist committee.

1           **(40) Acupuncture licensing board.**

2           ~~(40)~~ **(41)** Any other occupational or professional agency created  
3           after June 30, 1981.

4           (c) Notwithstanding any other law, the entities included in  
5           subsection (b) shall send a notice of the upcoming expiration of a  
6           license to each licensee at least sixty (60) days prior to the expiration  
7           of the license. The notice must inform the licensee of the need to renew  
8           and the requirement of payment of the renewal fee. If this notice of  
9           expiration is not sent by the entity, the licensee is not subject to a  
10          sanction for failure to renew if, once notice is received from the entity,  
11          the license is renewed within forty-five (45) days of the receipt of the  
12          notice.

13          SECTION 3. IC 25-1-5-3 IS AMENDED TO READ AS FOLLOWS  
14          [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) There is established the  
15          health professions bureau. The bureau shall perform all administrative  
16          functions, duties, and responsibilities assigned by law or rule to the  
17          executive director, secretary, or other statutory administrator of the  
18          following:

- 19           (1) Board of chiropractic examiners (IC 25-10-1).
- 20           (2) State board of dental examiners (IC 25-14-1).
- 21           (3) Indiana state board of health facility administrators (IC  
22           25-19-1).
- 23           (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 24           (5) Indiana state board of nursing (IC 25-23-1).
- 25           (6) Indiana optometry board (IC 25-24).
- 26           (7) Indiana board of pharmacy (IC 25-26).
- 27           (8) Board of podiatric medicine (IC 25-29-2-1).
- 28           (9) Board of environmental health specialists (IC 25-32).
- 29           (10) Speech-language pathology and audiology board (IC  
30           25-35.6-2).
- 31           (11) State psychology board (IC 25-33).
- 32           (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 33           (13) Controlled substances advisory committee (IC 35-48-2-1).
- 34           (14) Committee of hearing aid dealer examiners (IC 25-20).
- 35           (15) Indiana physical therapy committee (IC 25-27).
- 36           (16) Respiratory care committee (IC 25-34.5).
- 37           (17) Occupational therapy committee (IC 25-23.5).
- 38           (18) Social worker, marriage and family therapist, and mental

health counselor board (IC 25-23.6).

(19) Physician assistant committee (IC 25-27.5).

(20) Indiana athletic trainers board (IC 25-5.1-2-1).

(21) Indiana dietitians certification board (IC 25-14.5-2-1).

(22) Indiana hypnotist committee (IC 25-20.5-1-7).

**(23) Acupuncture licensing board (IC 25-2.5-2-1).**

(b) Nothing in this chapter may be construed to give the bureau policy making authority, which authority remains with each board.

SECTION 4. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

(5) State boxing commission (IC 25-9-1).

(6) Board of chiropractic examiners (IC 25-10-1).

(7) State board of cosmetology examiners (IC 25-8-3-1).

(8) State board of dental examiners (IC 25-14-1).

(9) State board of funeral and cemetery service (IC 25-15-9).

(10) State board of registration for professional engineers (IC 25-31-1-3).

(11) Indiana state board of health facility administrators (IC 25-19-1).

(12) Medical licensing board of Indiana (IC 25-22.5-2).

- 1 (13) Indiana state board of nursing (IC 25-23-1).
- 2 (14) Indiana optometry board (IC 25-24).
- 3 (15) Indiana board of pharmacy (IC 25-26).
- 4 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 5 (17) Board of podiatric medicine (IC 25-29-2-1).
- 6 (18) Board of environmental health specialists (IC 25-32-1).
- 7 (19) State psychology board (IC 25-33).
- 8 (20) Speech-language pathology and audiology board (IC
- 9 25-35.6-2).
- 10 (21) Indiana real estate commission (IC 25-34.1-2).
- 11 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 12 (23) Department of natural resources for purposes of licensing
- 13 water well drillers under IC 25-39-3.
- 14 (24) Respiratory care committee (IC 25-34.5).
- 15 (25) Private detectives licensing board (IC 25-30-1-5.1).
- 16 (26) Occupational therapy committee (IC 25-23.5).
- 17 (27) Social worker, marriage and family therapist, and mental
- 18 health counselor board (IC 25-23.6).
- 19 (28) Real estate appraiser licensure and certification board (IC
- 20 25-34.1-8).
- 21 (29) State board of registration for land surveyors (IC
- 22 25-21.5-2-1).
- 23 (30) Physician assistant committee (IC 25-27.5).
- 24 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- 25 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 26 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 27 (34) Indiana physical therapy committee (IC 25-27).
- 28 **(35) Acupuncture licensing board (IC 25-2.5-2-1).**
- 29 ~~(35)~~ **(36)** Any other occupational or professional agency created
- 30 after June 30, 1981.

31 SECTION 5. IC 25-1-8-1 IS AMENDED TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "board"  
 33 means any of the following:

- 34 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 35 (2) Board of registration for architects (IC 25-4-1-2).
- 36 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 37 (4) State board of barber examiners (IC 25-7-5-1).
- 38 (5) State boxing commission (IC 25-9-1).

- 1 (6) Board of chiropractic examiners (IC 25-10-1).
- 2 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 3 (8) State board of dental examiners (IC 25-14-1).
- 4 (9) State board of funeral and cemetery service (IC 25-15).
- 5 (10) State board of registration for professional engineers (IC
- 6 25-31-1-3).
- 7 (11) Indiana state board of health facility administrators (IC
- 8 25-19-1).
- 9 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 10 (13) Mining board (IC 22-10-1.5-2).
- 11 (14) Indiana state board of nursing (IC 25-23-1).
- 12 (15) Indiana optometry board (IC 25-24).
- 13 (16) Indiana board of pharmacy (IC 25-26).
- 14 (17) Indiana plumbing commission (IC 25-28.5-1-3).
- 15 (18) Board of environmental health specialists (IC 25-32-1).
- 16 (19) State psychology board (IC 25-33).
- 17 (20) Speech-language pathology and audiology board (IC
- 18 25-35.6-2).
- 19 (21) Indiana real estate commission (IC 25-34.1-2-1).
- 20 (22) Indiana board of veterinary medical examiners (IC
- 21 15-5-1.1-3).
- 22 (23) Department of insurance (IC 27-1).
- 23 (24) State police department (IC 10-1-1-1), for purposes of
- 24 certifying polygraph examiners under IC 25-30-2.
- 25 (25) Department of natural resources for purposes of licensing
- 26 water well drillers under IC 25-39-3.
- 27 (26) Private detectives licensing board (IC 25-30-1-5.1).
- 28 (27) Occupational therapy committee (IC 25-23.5-2-1).
- 29 (28) Social worker, marriage and family therapist, and mental
- 30 health counselor board (IC 25-23.6-2-1).
- 31 (29) Real estate appraiser licensure and certification board (IC
- 32 25-34.1-8).
- 33 (30) State board of registration for land surveyors (IC
- 34 25-21.5-2-1).
- 35 (31) Physician assistant committee (IC 25-27.5).
- 36 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
- 37 (33) Board of podiatric medicine (IC 25-29-2-1).
- 38 (34) Indiana dietitians certification board (IC 25-14.5-2-1).

(35) Indiana physical therapy committee (IC 25-27).

**(36) Acupuncture licensing board (IC 25-2.5-2-1).**

~~(36)~~ **(37)** Any other occupational or professional agency created after June 30, 1981.

SECTION 6. IC 25-1-9-1 IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "board" means any of the following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dental examiners (IC 25-14-1).

(3) Indiana state board of health facility administrators (IC 25-19-1).

(4) Medical licensing board of Indiana (IC 25-22.5-2).

(5) Indiana state board of nursing (IC 25-23-1).

(6) Indiana optometry board (IC 25-24).

(7) Indiana board of pharmacy (IC 25-26).

(8) Board of podiatric medicine (IC 25-29-2-1).

(9) Board of environmental health specialists (IC 25-32).

(10) Speech-language pathology and audiology board (IC 25-35.6-2).

(11) State psychology board (IC 25-33).

(12) Indiana board of veterinary medical examiners (IC 15-5-1.1).

(13) Indiana physical therapy committee (IC 25-27-1).

(14) Respiratory care committee (IC 25-34.5).

(15) Occupational therapy committee (IC 25-23.5).

(16) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).

(17) Physician assistant committee (IC 25-27.5).

(18) Indiana athletic trainers board (IC 25-5.1-2-1).

(19) Indiana dietitians certification board (IC 25-14.5-2-1).

(20) Indiana hypnotist committee (IC 25-20.5-1-7).

**(21) Acupuncture licensing board (IC 25-2.5-2-1)".**

Page 1, line 13, delete "medical" and insert "acupuncture".

Page 2, between lines 5 and 6, begin a new paragraph and insert:

**"Chapter 2. Acupuncture Licensing Board**

**Sec. 1. The acupuncture licensing board is established.**

**Sec. 2. (a) The board consists of eight (8) members appointed by the governor for terms of three (3) years.**

**(b) Except for members appointed under section 4 of this**



chapter, the terms of new members appointed to the board within a calendar year begin on the same day.

(c) The board must include the following:

(1) At least three (3) acupuncturists who:

(A) are residents of Indiana;

(B) have at least three (3) years of experience as acupuncturists; and

(C) are licensed to practice acupuncture under this article.

(2) At least one (1) physician licensed under IC 25-22.5 who is a resident of Indiana and is licensed to practice acupuncture in the physician's practice under IC 25-2.5-4-3.

(3) At least one (1) chiropractor licensed under IC 25-10 who is a resident of Indiana and is licensed to practice acupuncture in the chiropractor's practice under IC 25-2.5-4-3.

(4) At least one (1) podiatrist licensed under IC 25-29 who is a resident of Indiana and is licensed to practice acupuncture in the podiatrist's practice under IC 25-2.5-4-3.

(5) At least one (1) dentist licensed under IC 25-14 who is a resident of Indiana and is licensed to practice acupuncture in the dentist's practice under IC 25-2.5-4-3.

(6) At least one (1) resident of Indiana who is not associated with a health care profession in any way other than as a consumer.

Sec. 3. An acupuncturist appointed to the board must continue to practice acupuncture while serving as a member of the board.

Sec. 4. A vacancy on the board shall be filled for the unexpired term in the same manner as the original appointment.

Sec. 5. At the first meeting following the appointment of a new member, the board shall elect:

(1) a chairperson; and

(2) a secretary.

Sec. 6. (a) The board shall meet within forty-five (45) days after the appointment of a new member.

(b) The board may meet as needed to perform its duties.

(c) Five (5) members of the board constitute a quorum.

Sec. 7. (a) Each member of the board who is not a state employee is entitled to receive both of the following:

(1) The minimum salary per diem provided by

1 **IC 4-10-11-2.1(b).**

2 **(2) Reimbursement for travel expenses and other expenses**  
 3 **actually incurred with the member's duties, as provided in the**  
 4 **state travel policies and procedures established by the Indiana**  
 5 **department of administration and approved by the budget**  
 6 **agency.**

7 **(b) Each member of the board who is a state employee is entitled**  
 8 **to reimbursement for travel expenses as provided under**  
 9 **IC 4-13-1-4 and other expenses actually incurred in connection**  
 10 **with the member's duties, as provided in the state travel policies**  
 11 **and procedures established by the Indiana department of**  
 12 **administration and approved by the budget agency."**

13 Page 2, line 6, delete "2." and insert "3."

14 Page 2, line 12, after "board" insert "**under IC 25-1-8-2**".

15 Page 3, line 13, delete "three" and insert "**two**".

16 Page 3, line 13, delete "(300)" and insert "**(200)**".

17 Page 3, line 15, after "board." insert "**The board may not adopt a**  
 18 **rule that restricts credit of an applicant's previously obtained**  
 19 **acupuncture training from an institution approved by the board."**

20 Page 5, line 26, delete "3." and insert "**4.**"

21 Page 6, after line 21, begin a new paragraph and insert:

22 "SECTION 8. IC 25-22.5-2-7 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. The board shall do  
 24 the following:

25 (1) Adopt rules and forms necessary to implement this article that  
 26 concern, but are not limited to, the following areas:

27 (A) Qualification by education, residence, citizenship,  
 28 training, and character for admission to an examination for  
 29 licensure or by endorsement for licensure.

30 (B) The examination for licensure.

31 (C) The license or permit.

32 (D) Fees for examination, permit, licensure, and registration.

33 (E) Reinstatement of licenses and permits.

34 (F) Payment of costs in disciplinary proceedings conducted by  
 35 the board.

36 **(G) Establishment of mandatory continuing education**  
 37 **requirements designed to maintain the competency of**  
 38 **individuals licensed under this chapter, including**

**requirements providing that only educational activities that meet professional role expectations satisfy continuing education requirements.**

(2) Administer oaths in matters relating to the discharge of its official duties.

(3) Enforce this article and assign service bureau personnel duties as may be necessary in the discharge of the board's duty.

(4) Maintain, through the service bureau, full and complete records of all applicants for licensure or permit and of all licenses and permits issued.

(5) Make available, upon request, the complete schedule of minimum requirements for licensure or permit.

(6) Issue, at the board's discretion, a temporary permit to an applicant for the interim from the date of application until the next regular meeting of the board.

(7) Issue an unlimited license, a limited license, or a temporary medical permit, depending upon the qualifications of the applicant, to any applicant who successfully fulfills all of the requirements of this article.

(8) Adopt rules establishing standards for the competent practice of medicine, osteopathic medicine, or any other form of practice regulated by a limited license or permit issued under this article.

(9) Adopt rules regarding the appropriate prescribing of Schedule III or Schedule IV controlled substances for the purpose of weight reduction or to control obesity.

SECTION 9. IC 25-22.5-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) A license issued under this article expires on June 30 of each odd-numbered year. Before June 30 of an odd-numbered year, an applicant for renewal shall pay the biennial renewal fee set by the board under IC 25-22.5-2-7.

(b) If the holder of a license does not renew the license by June 30 of each odd-numbered year, the license expires and becomes invalid without any action taken by the board. A license that becomes invalid under this subsection may be reinstated by the board up to three (3) years after the invalidation if the holder of the invalid license: ~~pays:~~

(1) ~~pays~~ the penalty fee set by the board under IC 25-22.5-2-7;

~~and~~

(2) ~~pays~~ the renewal fee for the biennium; ~~and~~

1           **(3) completes the continuing education requirement**  
 2           **established by the board.**

3           (c) If a license that becomes invalid under this section is not  
 4           reinstated by the board within three (3) years of its invalidation, the  
 5           holder of the invalid license may be required by the board to take an  
 6           examination for competence before the board will reinstate the holder's  
 7           license.

8           (d) The board may adopt rules under IC 25-22.5-2-7 establishing  
 9           requirements for the reinstatement of a lapsed license.

10          (e) **An individual may not renew a license under this article**  
 11          **unless the individual has completed the continuing education**  
 12          **requirements established under IC 25-22.5-2-7(1)(G). An**  
 13          **application under this section must contain a sworn statement**  
 14          **signed by the applicant attesting that the applicant has fulfilled the**  
 15          **continuing education requirements.**

16          (f) Every two (2) years, the board may randomly audit for  
 17          compliance at least one percent (1%) but not more than ten  
 18          percent (10%) of the practitioners required to take continuing  
 19          education courses.

20          (g) Notwithstanding IC 25-22.5-2-7(1)(G), the continuing  
 21          education requirement does not apply to the following:

22               (1) A practitioner who has held an initial license for less than  
 23               two (2) years.

24               (2) A practitioner who the board has determined is unable to  
 25               meet the requirement due to a disability.

26          (h) For each continuing education course attended or completed,  
 27          the practitioner shall retain a record of:

28               (1) the number of hours spent in each continuing education  
 29               course;

30               (2) the subject matter presented;

31               (3) the name of the sponsoring organization; and

32               (4) the verification of attendance or completion;

33          **for three (3) years after the date the practitioner's license was**  
 34          **renewed.**

35          SECTION 10. IC 25-23-1-7 IS AMENDED TO READ AS  
 36          FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The board shall  
 37          do the following:

38               (1) Adopt under IC 4-22-2 rules necessary to enable it to carry

- 1 into effect this chapter.
- 2 (2) Prescribe standards and approve curricula for nursing
- 3 education programs preparing persons for licensure under this
- 4 chapter.
- 5 (3) Provide for surveys of such programs at such times as it
- 6 considers necessary.
- 7 (4) Accredite such programs as meet the requirements of this
- 8 chapter and of the board.
- 9 (5) Deny or withdraw accreditation from nursing education
- 10 programs for failure to meet prescribed curricula or other
- 11 standards.
- 12 (6) Examine, license, and renew the license of qualified
- 13 applicants.
- 14 (7) Issue subpoenas, compel the attendance of witnesses, and
- 15 administer oaths to persons giving testimony at hearings.
- 16 (8) Cause the prosecution of all persons violating this chapter and
- 17 have power to incur necessary expenses for these prosecutions.
- 18 (9) Adopt rules under IC 4-22-2 that do the following:
  - 19 (A) Prescribe standards for the competent practice of
  - 20 registered, practical, and advanced practice nursing.
  - 21 (B) Establish with the approval of the medical licensing board
  - 22 created by IC 25-22.5-2-1 requirements that advanced practice
  - 23 nurses must meet to be granted authority to prescribe legend
  - 24 drugs and to retain that authority.
  - 25 **(C) Establish continuing education requirements designed**
  - 26 **to maintain the competency of individuals licensed under**
  - 27 **this chapter, including requirements providing that only**
  - 28 **educational activities that meet professional role**
  - 29 **expectations satisfy continuing education requirements.**
- 30 (10) Keep a record of all its proceedings.
- 31 (11) Collect and distribute annually demographic information on
- 32 the number and type of registered nurses and licensed practical
- 33 nurses employed in Indiana.
- 34 (12) Notify each registered nurse and licensed practical nurse
- 35 residing in Indiana when final rules concerning the practice of
- 36 nursing are published in the Indiana register.
- 37 (b) The board may do the following:
  - 38 (1) Create ad hoc subcommittees representing the various nursing

specialties and interests of the profession of nursing. Persons appointed to a subcommittee serve for terms as determined by the board.

(2) Utilize the appropriate subcommittees so as to assist the board with its responsibilities. The assistance provided by the subcommittees may include the following:

(A) Recommendation of rules necessary to carry out the duties of the board.

(B) Recommendations concerning educational programs and requirements.

(C) Recommendations regarding examinations and licensure of applicants.

(3) Appoint nurses to serve on each of the ad hoc subcommittees.

(c) Nurses appointed under subsection (b) must:

(1) be committed to advancing and safeguarding the nursing profession as a whole; and

(2) represent nurses who practice in the field directly affected by a subcommittee's actions.

SECTION 11. IC 25-23-1-16.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 16.1. (a) A license to practice as a registered nurse expires on October 31 in each odd-numbered year. Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

(b) A license to practice as a licensed practical nurse expires on October 31 in each even-numbered year. Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

(c) The procedures and fee for renewal shall be set by the board.

(d) At the time of license renewal, each registered nurse and each licensed practical nurse shall pay an additional three dollar (\$3) fee. The lesser of the following amounts from fees collected under this subsection shall be deposited in the impaired nurses account of the state general fund established by section 34 of this chapter:

(1) Three dollars (\$3) per license renewed under this section.

(2) The cost per license to operate the impaired nurses program, as determined by the health professions bureau.

**(e) To renew a license under this section, an individual must**

1 have completed the continuing education requirements established  
 2 by the board under section 7(a)(9)(C) of this chapter. An  
 3 application under this section must contain a sworn statement  
 4 signed by the applicant attesting that the applicant has fulfilled the  
 5 continuing education requirements.

6 (f) Every two (2) years, the board may randomly audit for  
 7 compliance at least one percent (1%) but not more than ten  
 8 percent (10%) of the nurses required to take continuing education  
 9 courses.

10 (g) Notwithstanding IC 25-22.5-2-7(1)(G), the continuing  
 11 education requirement does not apply to the following:

12 (1) A nurse who has held an initial license for less than two (2)  
 13 years.

14 (2) A nurse who the board has determined is unable to meet  
 15 the requirement due to a disability.

16 (h) For each continuing education course attended or completed,  
 17 the nurse shall retain a record of:

18 (1) the number of hours spent in each continuing education  
 19 course;

20 (2) the subject matter presented;

21 (3) the name of the sponsoring organization; and

22 (4) the verification of attendance or completion;

23 for three (3) years after the date the nurse's license was renewed.

24 SECTION 12. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding  
 25 IC 25-2.5, as added by this act:

26 (1) the governor shall appoint the initial members of the  
 27 acupuncture licensing board as follows:

28 (A) One (1) acupuncturist, the physician, and the dentist  
 29 members shall serve a term expiring June 30, 2000.

30 (B) One (1) acupuncturist, the chiropractor, and the  
 31 consumer members shall serve a term expiring June 30,  
 32 2001.

33 (C) One (1) acupuncturist and the podiatrist member shall  
 34 serve a term expiring June 30, 2002.

35 (2) the governor may appoint a member of the board who is  
 36 not licensed under IC 25-2.5-4, if the member otherwise meets  
 37 the requirements of IC 25-2.5;

38 (3) the board shall waive the requirements of 25-2.5-4 and

1           grant a license to practice acupuncture to an individual who:  
 2           (A) is a resident of Indiana; and  
 3           (B) presents evidence of successfully completing a college,  
 4           apprenticeship, tutorial, or other training program  
 5           approved by the board;  
 6           (4) the board shall adopt rules and procedures to implement  
 7           this SECTION;  
 8           (5) an individual who violates this SECTION or IC 25-2.5, as  
 9           added by this act, does not commit a Class B misdemeanor  
 10          unless the individual has received a warning for a prior  
 11          unrelated violation of this SECTION or IC 25-2.5, as added  
 12          by this act; and  
 13          (6) if an individual violates this SECTION or IC 25-2.5, the  
 14          acupuncture licensing board shall issue a written warning to  
 15          the individual with instructions describing how to comply  
 16          with acupuncture licensing laws.  
 17          (b) This SECTION expires July 1, 2002."  
 18          Renumber all SECTIONS consecutively.  
         (Reference is to SB 506 as printed February 12, 1999.)

**and when so amended that said bill do pass.**

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Representative Brown C